



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Wednesday March 11, 2015

Non Streamlined International Applications/Petitions Accepted For Filing
Section 214 Applications (47 C.F.R. § 63.18); Section 310(b) Petitions

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Petition for Declaratory Ruling

DoCoMo Pacific, Inc. (DoCoMo) has filed a petition for declaratory ruling ("Petition"), pursuant to section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4), requesting that the Commission extend DoCoMo's current section 310(b)(4) authority to hold interests in common carrier licenses and authorizations to encompass the Advanced Wireless Services (AWS-3) license for which it was the winning bidder in Auction 97. See ULS File No. 0006666147. It notes that the Commission previously issued a foreign ownership ruling to DoCoMo (f/k/a Guam Cellular and Paging, Inc.) pursuant to section 310(b)(4) in 2006. See Memorandum Opinion and Order and Declaratory Ruling, FCC 06-167, 21 FCC Rcd 13580 (2006) (2006 Ruling).

Pursuant to section 1.990(a)(1) of the rules, DoCoMo filed a supplement to its Petition requesting an updated foreign ownership ruling to include all authority available under the rules adopted in the Foreign Ownership Second Report and Order, FCC 13-50, 28 FCC Rcd 5741 (2013), 47 C.F.R. §§ 1.990-1.994. It requests that the updated ruling include specific authority for Nippon Telegraph and Telephone Corporation (NTT) and the Japan Ministry of Finance to increase their respective equity and/or voting interests in DoCoMo's controlling U.S. parent company three (3) percent above the levels approved in the 2006 Ruling to account for fluctuations in publicly traded shares of NTT and its majority owned and controlled subsidiary, NTT DoCoMo, Inc. (NTT DoCoMo).

According to the Petition, DoCoMo is a corporation organized under the laws of Guam. It is a direct, wholly-owned subsidiary of DoCoMo Guam Holdings, Inc. (DoCoMo Guam), a U.S. corporation. DoCoMo Guam is, in turn, a direct, wholly-owned subsidiary of NTT DoCoMo, a publicly traded Japanese corporation. As of September 1, 2014, NTT, itself a publicly traded Japanese corporation, owned approximately 59.70 percent each of the equity and voting interests of NTT DoCoMo (see Petition, revised Exhibit A, filed March 10, 2015). The Petitioner states that the remaining 40.30 percent of the capital stock of NTT DoCoMo is held by Japanese and overseas corporations and individuals, none of which individually holds a five percent or greater ownership interest.

According to the Petition, the Japan Ministry of Finance owned approximately 33.33 percent each of the equity and voting interests of NTT as of December 1, 2014 (see Petition, revised Exhibit A, filed March 10, 2015), and consequently an indirect 19.90 percent equity interest and 33.33 percent voting interest in DoCoMo. The Petition states that the remaining shares of NTT are held by Japanese and overseas corporations and individuals, none of which individually holds a five percent or greater ownership interest.

The Petitioner states that the Commission's 2006 Ruling approved the indirect foreign ownership of DoCoMo by NTT DoCoMo and its Japanese shareholders (up to and including 100 percent of the equity and voting interests), with the exception of NTT; by NTT and its Japanese shareholders, through NTT's investment in NTT DoCoMo (up to and including 62.15 percent of the equity and voting interests), with the exception of the Japan Ministry of Finance; and by the Japan Ministry of Finance, through its investment in NTT (up to and including 23.95 percent of the equity interests and 38.53 percent of the voting interests). DoCoMo asserts that, other than the ownership changes reported in the Petition, no further material changes have occurred in DoCoMo's foreign ownership since the 2006 Ruling.

Pursuant to section 1.991(i) of the rules, DoCoMo requests that the Commission specifically approve direct or indirect foreign equity and/or voting interests in DoCoMo's U.S. parent, DoCoMo Guam, as follows:

NTT DoCoMo (up to and including 100 percent of the equity and voting interests);

NTT (up to and including 65.15 percent of the equity and voting interests); and

The Japan Ministry of Finance (up to and including 26.95 percent of the equity interests and 41.53 percent of the voting interests).

Petitioner acknowledges that DoCoMo will continue to be subject to the Agreement entered into by and between DoCoMo and its U.S. parent, DoCoMo Guam, on the one hand, and the U.S. Department of Justice, the Federal Bureau of Investigation, and the U.S. Department of Homeland Security, on the other, executed in October 2006. The Agreement is appended to the 2006 Ruling, FCC 06-167, 21 FCC Rcd 13580, 13623-53.

Interested parties may file comments on or before March 20, 2015, and reply comments on or before March 27, 2015.

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Request for 214 authority to offer global or limited global facilities and resale authority pursuant to 63.18(e)(1) and (2)

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, 47 C.F.R. § 63.18(e)(1).

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–.2003.

An updated version of Section 63.09-.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>